

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFB0001 – PAN2024-25	CLOSING DATE:	31 May 2024	CLOSING TIME:	AT 14H00
DESCRIPTION	APPOINTMENT OF A PANEL OF THREE (3) SERVICE PROVIDERS TO RENDER TRAVEL MANAGEMENT SERVICES (TRAVEL AGENCY) IN RESPECT OF AIR TRAVEL, CAR HIRE AND ACCOMMODATION TO PAN SOUTH AFRICAN LANGUAGE BOARD (PanSALB), AS AND WHEN REQUIRED FOR A PERIOD OF FIVE (5) YEARS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
PAN SOUTH AFRICAN LANGUAGE BOARD, HEAD OFFICE,					
5TH FLOOR RECEPTION					
523 STANZA BOPAPE STREET,					
ARCADIA – PRETORIA					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr. Zola Nkosi		CONTACT PERSON	Ms Lulama Limbane	
TELEPHONE NUMBER	Tel: (012) 341 9651		TELEPHONE NUMBER	Tel: (012) 341 9651	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	zola@pansalb.org		E-MAIL ADDRESS	lulama@pansalb.org	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:



TERMS OF REFERENCE

BID NO: RFB0001 – PAN2024-25

APPOINTMENT OF A PANEL OF THREE (3) SERVICE PROVIDERS TO RENDER TRAVEL MANAGEMENT SERVICES (TRAVEL AGENCY) IN RESPECT OF AIR TRAVEL, CAR HIRE AND ACCOMMODATION TO PAN SOUTH AFRICAN LANGUAGE BOARD (PanSALB), AS AND WHEN REQUIRED FOR A PERIOD OF FIVE (5) YEARS.

CLOSING DATE AND TIME OF BID:

31 May 2023 AT 14H00

COMPULSORY BRIEFING SESSION:

VENUE: TEAMS

DATE AND TIME:

24 May 2024 AT 14H00

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 328 008 856 206

Passcode: NTCFL2

BID VALIDITY PERIOD: 120 DAYS

1. CONTRACTING AUTHORITY

- 1.1. Pan South African Language Board (PanSALB) invites bidders to submit bids to be appointed as PanSALB's Panel of Service Providers to provide PanSALB with Travel Management Services.

2. INTRODUCTION AND BACKGROUND

- 2.1. PanSALB is a Constitutional Institution established in terms of Section 65 of the Constitution.
- 2.2. PanSALB is established by the Constitution of the Republic of South Africa and is governed by an enabling legislation the Pan South African Language Board Act, No. 95 of 1995 as amended, with the legislative mandate to promote and create conditions for the development and use of all official languages of the Republic of South Africa, including the Khoi and San languages.

3. CURRENT STATE AFFAIRS OF THE RELEVANT SECTOR

- 3.1 PanSALB has a network of structures to manage, as prescribed in the PanSALB Act. The institution also has satellite offices in all nine provinces of South Africa and a Head Office situated in Pretoria,
- 3.2 Activities of these offices are performed in compliance with prescribed governance and control measures, processes, and systems. In the process of these activities, it becomes necessary to travel to various places for the purpose of delivering PanSALB mandates.

4. OVERALL OBJECTIVES

- 4.1. PanSALB would like to invite suitable, qualified, and competent travel agencies to send proposals to be considered for inclusion on PanSALB's panel of travel management companies, as 'preferred service providers'. Preferred service providers imply that the selected firms are a depository of selected travel agencies, not necessarily the only contracted service provider.
- 4.2. The panel of travel management agencies will be required to provide travel and accommodation management services to PanSALB, on an ad hoc basis, as and when a need arises, and the services of the travel management company will be required.
- 4.3. The period of appointment to the panel of travel agencies is 60 months, (5 years)

4.4. As a Constitutional Institution, PanSALB will consider applications of travel management companies from all nine provinces of South Africa, but only the top three companies will be appointed to the panel.

5. CONDUCT OF THE WORK

5.1 The conduct work will be performed at the successful bidder's premises, and it is expected for the appointed Travel Management Companies to work under the guidance of the Supply Chain Management (SCM).

6. SCOPE OF WORK / TASK DIRECTIVE

6.1 The appointed Travel Management Companies will be required to provide all-inclusive travel arrangement services to PanSALB. Each requirement must be handled in such a manner that the most cost-effective options are confirmed to satisfy the minimum requirements of PanSALB.

6.2 Overall Requirements: PanSALB's requirement for domestic and/or international travel covers the following services:

a) Air travel (Domestic or International)

- Plan, arrange, amend bookings as requested, confirm bookings, and execute payment of all air travel bookings.
- Negotiate discounts and the most cost-effective air travel options with all available airlines, which meet the minimum standard, and report efforts made on this periodically.
- Negotiate discounts on accumulated expenditure for air travel with all available airlines and revert to PanSALB for executive decisions as appropriate.
- Facilitate visa-booking applications when needed.

b) Vehicle Rental

- Arrange, amend bookings as requested and confirm bookings for all vehicle rentals and/or shuttle bookings and execute payment.
- Negotiate discounts/vouchers with all available vehicle rental and/or shuttle service providers and report efforts made on this periodically.

- c) Accommodation
 - Arrange, amend bookings as requested and confirm bookings for all accommodation needs and execute payment.
 - Negotiate discounts/vouchers with all major hotel groups or lodges that meet the standard requirements and report efforts made on this periodically.

6.3 Support Services: PanSALB has the following requirements that must be met by the appointed Travel Management Companies:

- a) All air travel tickets' (including airport tax), accommodation vouchers, and vehicle and shuttle booking confirmations will be timeously delivered/e-mailed and SMSed to PanSALB via the relevant staff. Only in exceptional cases and where prior agreement is in place with PanSALB, may travel arrangements be requested/collected or received by any other person not directly employed by PanSALB.
- b) The Travel Management Companies must allocate sufficient staff to manage this account, which includes a dedicated key accounts manager, consultants, and administrative and payment personnel.
- c) PanSALB requires 24-hour service where emergencies occur and where the direct involvement of the Travel Management Company is necessary to resolve any issues concerning air travel, vehicle rental/shuttle service, and accommodation arrangements. A mobile number (or numbers) should be provided for this purpose.
- d) Once the bid has been awarded, PanSALB will provide the relevant policies, information, and budget that must be adhered to, which will stipulate the minimum requirements and standards pertaining to the expected service level.
- e) The Travel Management Company should also, where relevant provide services relating to visas, passports, insurance, and special and/or once-off arrangements.
- f) Provide comprehensive travel services and avoid any situation where parts of PanSALB's requirements will be fulfilled by a sub-contractor of the Travel Management Company where PanSALB will be liable for additional/extra service/management fees.
- g) Take overall responsibility to confirm all bookings, air travel, shuttle services, vehicle rentals, accommodation bookings, and visa/passport applications, and ensure that payment has been made and that confirmation thereof is communicated to PanSALB timeously prior to the date of departure.

- h) Communicate via email and SMS on emergency/short notice changes with regard to flights, accommodation, and land transportation, effectively and as soon as possible to avoid PanSALB travelers being stranded without being informed of the relevant changes in advance.
 - i) Ensure correct referencing of transactions for purposes of reconciling with PanSALB's travel authorization reference number.
- 6.4 Reports: The following is required with respect to reports for submission to PanSALB:
- a) Financial reports detailing all expenses incurred per month for all transactions processed. The report shall be provided to PanSALB monthly on the first day of each month for expenses incurred in the previous month.
 - b) The report shall, as a minimum, include a detailed summary of all transactions processed, the number and details of change requests, and all savings and credits accumulated per month.
 - c) Advance notice of imminent tariff/discount adjustments, which are in place, must be declared and communicated to PanSALB in writing and this should form part of the monthly report. The Travel Management Company will be responsible for ensuring continuous negotiations for lower tariffs or higher discounts and reporting on efforts made in this regard on a quarterly basis.
 - d) Benefits, discounts, and refunds, received from service providers should be declared as part of the monthly report.
- 6.5 The Travel Agent shall provide travel services from 07h30 to 17h00 during working days. In addition, the Travel Agent shall provide contact numbers of dedicated and experienced travel consultants for 24-hour emergency services, services on weekends, and official holidays where required. Reservations will be accepted on an official order, or in cases of emergency, by written confirmation from the HOD: SCM, CFO, and CEO of PanSALB.

Please note: PanSALB is a public entity. **The attached PFMA SCM Instruction 06 of 2022-2023 – National Travel Framework relating to travel and subsistence must be adhered to.** The National Treasury has negotiated improved upfront discounts on domestic flights and also established maximum allowable rates for domestic accommodation for Public Entities, which must be utilized by the appointed travel agent.

6.6 The price proposal should be structured per service type as outlined below:

SERVICE TYPE	SERVICE FEE (R)	NOTES
Domestic E-Ticket		
Regional E-Ticket (bordering countries)		
International E-Ticket		
Domestic Re-issue		
International and Regional Re-issue		
E-Ticket Refund		
Car Hire		
Accommodation		
Bundle Fee Domestic (Air, Land and Car)		
Bundle Fee International (Air, Land and Car)		
Transfers and Coach		
Executive Car Parking		
VIP Airport Services		
Mobile Travel Vaccinations		
Foreign Exchange Orders		
Standard Visa Applications		
Emergency Visa Applications		
Excess Baggage Voucher		
Customized Reporting		
24-hours Assistance		
Bill backs on accommodation or car hire		
Online Reporting		
Airline Ticket Tracker for unused Tickets		

Delivery/collection of travel Documents		
Issue of Travel Insurance Policy		

7 EVALUATION STAGES

7.1 The bid evaluation process consists of several stages that are applicable as defined in the table below:

Stage	Description	Applicable for this bid
Stage 1 A	Compulsory briefing session	Yes
Stage 1 B	The initial screening process to check compliance with bid requirements (administrative compliance)	Yes
Stage 2	Functionality requirement evaluation	Yes

Stage 1A:

It is compulsory for bidders to attend the team's briefing session for consideration for the next stage.

Stage 1B:

Verification of service provider(s) compliance with bid requirements and initial screening process (Administrative compliance). Bidders will be automatically disqualified if any of the SBD documents are not completed or submitted, or any other mandatory requirements are not complied with.

Stage 2:

The Technical proposal will be evaluated out of 100 points with a threshold of 70 points.

8 FUNCTIONALITY CRITERIA AND EVALUATION

Bidders that score less than the minimum 70 points will be disqualified. Bidders must score a minimum of 70 or more points to qualify for the panel of travel management companies.

<p>1. Positive reference letters and portfolio of evidence (15 points)</p> <p>The bidder must submit a minimum of three (3) written reference letters or completion certificates specifically in the public sector (not older than three (3) years) from previous/present clients where travel management services were/are rendered. All letters must be on letterhead and signed by the client. The client must be contactable, and the contact details provided must include:</p> <ul style="list-style-type: none">- Contact Person.- Designation.- Company name.- e-mail address; and- Landline and mobile number <p><u>Scoring criteria:</u></p> <ol style="list-style-type: none">1. <u>No letter = 0 points</u>2. <u>1 letter attached = 5 points</u>3. <u>2 letters attached = 10 points</u>4. <u>3 letters attached = 15 points</u>	<p>15</p>
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<p>2. Capacity and Experience (15 points)</p> <p>Bidders must demonstrate that they have been in business for a minimum of five (5) years. Demonstrate the ability to provide a comprehensive service on air travel, accommodation service, conference venue hire, car hire, and in-depth knowledge of the industry.</p> <ul style="list-style-type: none"> - Substantiate why it would benefit PanSALB to use the travel management company as opposed to going to airlines and hotels directly (04 points) - Provide details of the travel options the bidder gives to the client (03 points) - Demonstrate how the bidder will assist PanSALB with cost savings and/or value-added services (04 points) 	<p>15</p>
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<ul style="list-style-type: none"> - Ability to facilitate the procurement of venue hire for conferences and workshops (04 points), PLEASE provide list of venues hired in the last 5 years 	
<p>3. Membership to professional recognized travel association(s)/body(ies) (05 points)</p> <ul style="list-style-type: none"> - Bidder must provide proof of membership. 	5
<p>4. Financial Status (15 points)</p> <p>Please provide a copy of the latest Audited Financial statements not older than a year comprising of:</p> <ul style="list-style-type: none"> - Performance statement (05 points) - Position statement (05 points) - Cash flow statement (05 points) 	15
<p>5. Execution Plan (25 points)</p> <p>An execution plan covering the following must be provided:</p> <ul style="list-style-type: none"> - Give detailed after-hour procedure (05 points) - Ability to provide a dedicated key accounts manager and consultants (05 points) - Provide the company's turnaround time (05 points) - Demonstrate processes of proper authorization (05 points) - Demonstrate processes during emergencies i.e. support and change of travel and accommodation (05 points) 	25
<p>6. Team qualifications and general capabilities (25 points)</p> <p>The curriculum vitae and certified qualifications of all personnel to be allocated to the project (project team), indicating:</p> <ul style="list-style-type: none"> - Relevant qualifications; (10 points) - The project team should indicate the number of years' experience in travel management/tourism. <p><u>Scoring criteria:</u></p> <ol style="list-style-type: none"> 1. <u>Less than 1 years= 0 points</u> 2. <u>Between 2 and 3 years = 5 points</u> 3. <u>Greater than 3 years = 10 points</u> 	25

The relationship team management escalation levels (Chain of command) (05 points)	
Overall Total Score	100 points

9 BID REQUIREMENTS

The following is required of bidders and should be submitted to PanSALB as part of the bid submission.

- 9.1 Company profile.
- 9.2 All Bidders must be registered on the National Treasury Central Supplier Database (CSD) and must attach a copy of the most recent report to the tender document.
- 9.3 The tax status on CSD must be compliant, as PanSALB is unable to award a contract to a bidder whose tax affairs are not in order as determined by SARS. Bidders whose tax matters have expired, or whose compliance status is invalid will be disqualified. **Note that it is no longer a requirement for bidders to submit hard copies of tax clearance certificates as compliance for tax matters can be assessed and verified on the CSD report.**
- 9.4 **Original and valid and/or certified** copy of B-BBEE status level certificate. Failure to submit a valid BBEE certificate will result in zero preference points being awarded for B-BBEE. B-BBEE certificates or sworn affidavits must be valid at the time of the closing of the tender.
- 9.5 Original Bidder Resolution or Letter of Authority or Letter of Appointment authorizing the signatory of the entity to sign the Service Level Agreement (SLA) with PanSALB.
- 9.6 Valid contact details including e-mail address.
- 9.7 Bidders are requested to provide one original of the necessary documents such as a certified Identity Document and one copy of all documents.

10 CONFIDENTIALITY

- 10.1 No information or documentation may be used for any other purpose other than providing a tender proposal to PanSALB, and no copies of any document may be made, except with prior written approval from PanSALB.
- 10.2 The successful bidder and staff will be required to sign a non-disclosure agreement.

11 INTELLECTUAL PROPERTY AND OWNERSHIP

- 11.1 Ownership and copyright of all documentation developed during the period of the contract will be vested in PanSALB.
- 11.2 All intellectual property rights relating to any work produced by the service provider in relation to the performance of this contract shall belong to PanSALB and may not be used for any other purpose by the service provider. The service provider shall give PanSALB all assistance in protecting such intellectual property rights. All material, in paper, electronic or any recorded format produced by the service provider in the performance of this contract shall remain the property of PanSALB and must be handed over to PanSALB on termination of the contract.
- 11.3 All service providers undertake not to infringe on the intellectual property of third parties. Should any action or claim be instituted against PanSALB emanating from an infringement of intellectual property or an alleged infringement of intellectual property, the service providers hereby indemnify PanSALB against such claims or actions as well as all costs (including legal costs on an attorney and client scale).

12 LEGISLATIVE AND REGULATORY FRAMEWORK

- 12.1 This bid and all contracts emanating from this bid will be subject to the General Conditions of Contract issued in 2010 in accordance with the Treasury Regulations 16A, published in terms of the Public Finance Management Act (No. 1 of 1999).
- 12.2 The Special Conditions of Contract are supplementary to that of the General Conditions of Contract of 2010. Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract take precedence.

13 CONTRACTUAL ARRANGEMENT

- 13.1 The service provider is required to enter into a Service Level Agreement (SLA) with PanSALB to perform all functions as set out in the project specification or Terms of Reference and National Treasury General Conditions of Contract of 2010.

14 FINANCIAL IMPLICATIONS

- 14.1 No service will be provided to PanSALB before an official order has been issued to the supplier or service provider.

- 14.2 The service provider should be aware that PanSALB only pays after the services have been rendered.
- 14.3 Payments will be done within 30 days of receipt of an invoice with all required supporting documents as per the Service Level Agreement.
- 14.4 Payments will be made by PanSALB after the service provider has submitted an invoice supported by all requisite documents.

15 CLIENT BASE

- 15.1 PanSALB reserves the right to contact references during the evaluation and adjudication process to obtain information.

16 COMMUNICATION

- 16.1 PanSALB may communicate with bidders where bid clarity is sought to obtain information or to extend the validity period.

17 SUPPLIER DUE DILIGENCE

- 17.1 PanSALB reserves the right to conduct supplier due diligence prior to the final award or at any time during the contract period. **Bidders must note that PanSALB will conduct verification on the information submitted and any misrepresentation will result in an automatic disqualification.**

18 CONFLICTS OF INTEREST

- 18.1 The bidder or bidders' group must submit a document (this must be included in the covering letter), stating whether any of its employees have any interest in PanSALB or whether any of PanSALB's personnel have any interest in the bidders or affiliated business.

19 PACKAGING OF BID

- 19.1 Bidders to arrange the Standard Bidding Documents (SBDs) in their submission in numerical order.
- 19.2 Bidders are to submit price proposals and administrative compliance and functionality documents separately as follows:

19.2.1 **ENVELOPE ONE:** Administrative compliance and Functionality proposal.

19.2.2 **ENVELOPE TWO:** Pricing Structure as per paragraph 6.6 above.

20 SUBMISSIONS OF BID DOCUMENTS

20.1 Bidders are advised to ensure that bids are submitted allowing sufficient time for any unforeseen events that may delay the delivery of the bid and time to access PanSALB premises.

20.2 All bidders are required to complete a bid register when submitting bid documents. The Bid register is available at the below-mentioned address.

20.3 Bidders should deposit their documents into the tender box available on the 5th Floor reception area by **31 May 2024** at **14H00** am at the address below:

**PROVISUS BUILDING: Pan South African Language Board, Head Office, 523 Stanza Bopape
Street,
ARCADIA - PRETORIA.**

21 COST OF BIDDING

21.1 The bidder shall bear all costs associated with the preparation and submission of its bid and PanSALB will not be held responsible for these costs regardless of the conductor outcome of the tender process. The bidder will not be entitled to claim for travel and subsistence expenses. If such expenses are applicable, these charges must be included in the bid price.

22 PRICE OR FEES NEGOTIATION

22.1 PanSALB may negotiate the price or fees with the preferred bidder(s) during a competitive bidding process.

23 LATE BIDS

23.1 Bids are received at the address indicated above. Bids received after the closing date and time will not be accepted for consideration and will be returned unopened to the bidder.

23.2 Bid documents should be submitted before 12:00 am on the closing date of the tender.

24 BID AND TECHNICAL ENQUIRIES / CLARIFICATION OF TENDER DOCUMENTS

24.1 PanSALB will respond per email to any request for clarification of the tender documents which it receives **no later than one (1) week prior to the deadline for submission of bids prescribed by PanSALB**. All inquiries related to the technical content of the Terms of Reference as well as the bid inquiries may be directed **in writing** to the officials listed below:

For Bid Enquiries

Mr Zola Nkosi

Tel: (012) 341 9651

Email: zola@pansalb.org

For Technical Enquiries:

Ms Lulama Limbane

Tel: (012) 341 9651

Email: lulama@pansalborg

24.2 It is the intention of PanSALB to appoint the top three (3) service providers or less who meet all PanSALB supply chain management requirements into the panel for the period indicated above.

SBD 4

BIDDERS DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES	NO
-----	----

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES	NO
-----	----

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors/trustees/shareholders/members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether they are bidding for this contract?

YES	NO
-----	----

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read, and I understand the contents of this disclosure.

- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature Date

.....
Position Name of bidder

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS, AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left(1 + \frac{Pt - Pmax}{Pmax} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Woman	N/A	5	N/A	
Promotion of SMME's	N/A	10	N/A	
Youth	N/A	3	N/A	
PWD (Disability)	N/A	1	N/A	
Locality	N/A	1	N/A	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

..... SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS: